

**STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY, AND PURPOSE  
FOR THE STATE PERSONNEL DIRECTOR'S ADOPTION OF PERMANENT  
ADMINISTRATIVE PROCEDURES  
4-CCR-801**

The purpose of the State Personnel Director's repeal of the previous administrative procedures and the permanent adoption of new administrative procedures is to create a set of administrative procedures that, when read in conjunction with State Personnel Board rules, eliminates obsolete dates, redundancies and ambiguities; updates policy to reflect current practice and statutory changes that are effective July 1, 2005. The new permanent administrative procedures will provide clearer guidance and a numbering system to users of the Director's administrative procedures.

The administrative procedures address the following subjects:

- Introduction outlining purpose of promulgated administrative procedures and preamble with effective dates
- Organization, Responsibilities, Ethics and Definitions including administrative procedures regarding state personnel director, appointing authority, employee activities, records, and definitions including advisor, allocation, applicant, applicant pool, base pay, class, class conversion, class placement, class series, competencies, full-time, health care provider, independent contractor, job description, job evaluation system, party or parties, pay grade, pay plans, pay rate, reemployment, saved pay rate, serious health condition, special qualification, system maintenance study, treatment.
- Jobs including job evaluation system, individual position review, Senior Executive Service
- Compensation including general principles, annual compensation survey, compensation rates, downward adjustments, upward adjustments, lateral adjustments, annual performance salary adjustments, incentive awards, Teacher plan, Medical plan, Senior Executive Service, overtime, other premium pay, and Voluntary Separation Incentive Program
- Employment and Status including general principles, recruitment, methods, assessment of qualifications, employment lists, referrals, selection, employee status, temporary status, and substitute appointment
- Time Off including general principles, personal leave, leave sharing program, holiday leave, other employer-provided leaves, and Family/Medical Leave
- Performance including general principles and performance management
- Dispute Resolution including general principles, director's appeals, performance pay system disputes, and director's review process
- Fair Employment Practices including discrimination in examinations
- Personal Services Agreements including general provision, determination of the business case, evaluation of potential impact on certified employees, contract process and requirements, notification and review process
- State Benefit Plans including general principles, employer responsibilities, eligibility, enrollment, employee responsibilities, effective date of coverage, termination of coverage, employee and state contributions, pay back requirements, flexible spending accounts, leaves, COBRA, Medicare, conversion to non-group coverage, complaint and appeal procedures, and employee assistance program

The State Personnel Director's authority to adopt these administrative procedures is enumerated in, but not limited to:

Colorado Constitution, Article XII, Sections 13 and 14;  
State Personnel System Act, Title 24, Article 50, Sections 101 through 804, CRS (2004) including, but not limited to: 101, 102, 104, 104.5, 109.5, 110, 112.5, 114, 116, 117, 122, 123, 124, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 (as amended by House Bill 1373 effective 7/1/05), 137, 138, 140, 145, 146, 201, 203, 206, 208, 301, 302, 303, 304, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 513, 601, 602, 603, 604, 605, 607, 608, 609, 610, 611, 612, 613, 614, 615, 617, 801, 802, 803, 804;  
State Support Services Reorganization Act, 24-50.3-104;  
Section 1-7-102, CRS (2004);  
Section 12-34-101.5, CRS (2004);  
Section 13-71-119, CRS (2004);  
Section 13-71-134, CRS (2004);  
Section 19-5-211, CRS (2004);  
Section 24-2-102, CRS (2004)  
Section 24-2-103, CRS (2004);  
Section 24-4-106, CRS (2004);  
Section 24-11-101, CRS (2004);  
Section 24-11-110, CRS (2004);  
Section 24-11-112, CRS (2004);  
Section 24-34-402, CRS (2004);  
Section 24-34-402.7, CRS (2004); and  
*CAPE v. Lamm*, 677 P2d 1350 (Colo. 1984)

Adopted: